

1 Lawrence J. Dreyfuss, Bar No. 76277
2 THE DREYFUSS FIRM
3 A Professional Law Corporation
4 7700 Irvine Center Drive, Suite 710
Irvine, California 92618
(949) 727-0977; Facsimile (949) 450-0668

5 Attorneys for Defendant T.D. Service Company

6
7 UNITED STATES DISTRICT COURT
8 CENTRAL DISTRICT OF CALIFORNIA
9

10 CHRISTOPHER JANUARY,) Case No.: SACV11-1133-AG (RNBx)
11)
12 Plaintiff,)
13 vs.) DECLARATION OF LAWRENCE J.
) DREYFUSS PURSUANT TO LOCAL RULE
14 BANK OF AMERICA, N.A.,) 7.3
TD SERVICE COMPANY,)
15)
16 Defendants)

17 I, Lawrence J. Dreyfuss, declare:

18 1. I am an attorney licensed to practice in the State of California and before the United
19 States District Court for the Central District of California. I am a principal of The Dreyfuss Firm,
20 plc, attorneys of record for defendant T.D. Service Company.
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22 2. I called the telephone number for the pro se plaintiff at approximately 3:00 p.m. on
23 August 15, 2011 to discuss the issues being raised in the motion to dismiss. I reached his
24 answering machine and left a detailed message explaining the purpose of my call and requested
25 that he call me back to discuss the issues to be raised in the motion to dismiss. I also sent an
26 email at approximately 3:15 p.m. stating the same information (a copy of which is attached as
27 Exhibit "A").
28

1 3. I again called the telephone number for plaintiff on August 16, 2011 at 9:10 a.m.
2 and left a similar message. Again he did not return my call. Since I have had no response to
3 either my phone calls or email, I have had no ability to discuss this motion with plaintiff despite
4 my attempt to do so.
5

6 I declare under penalty of perjury under the laws of the United States that the foregoing is
7 true and correct and that this declaration was executed this 16th day of August 2011 at Irvine,
8 California.

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10 
11 LAWRENCE J. DREYFUSS

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EXHIBIT "A"

Larry Dreyfuss

From: Larry Dreyfuss

Sent: Monday, August 15, 2011 3:16 PM

To: 'colist@iax1.inbox5.com'

Subject: January v. Bank of America, et.al.

I am counsel for TD Service Company in this matter. I intend to file a motion to dismiss the case against T.D. pursuant to Federal Rule 12(b)(6). Local rules first require us to meet and confer in an effort to resolve these pleading issues beforehand. I left you a telephone message. Please call me to discuss the issues in my anticipated motion.

Lawrence J. Dreyfuss
The Dreyfuss Firm, plc
7700 Irvine Center Drive #710
Irvine, CA 92618
(949) 727-0977
(949) 450-0668 (facsimile)
larry@dreyfusslaw.com

8/15/2011

PROOF OF SERVICE (By Mail)
(CCP Section 1013a(3))

I am over the age of 18, and I am not a party to the within action. I am employed by THE DREYFUSS FIRM. PLC, in the County of Orange, at 7700 Irvine Center Drive, Suite 710, Irvine, CA 92618.

On August 16, 2011, I served the attached: **Declaration of Lawrence J. Dreyfuss pursuant to Local Rule 7.3** on the interested parties in this action by placing true copies thereof in sealed envelopes, addressed as follows:

Christopher January
1417 South Ridgeley Drive
Los Angeles, CA 90019

☒ **(By Mail)** I placed said envelopes for collection and mailing, following ordinary business practices, at the business offices of THE DREYFUSS FIRM, PLC at the address set forth above, for deposit in the United States Postal Service. I am readily familiar with the practice of THE DREYFUSS FIRM, PLC for collection and processing of correspondence for mailing with the United States Postal Service, and said envelopes will be deposited with the United States Postal Service on said date in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

☐ **(By Facsimile Transmission)** I served the above-described document on the interested parties in this action by sending a true copy thereof by facsimile transmission pursuant to California rules of Court, Rule 2009(i)2, from facsimile machine number (949) 450-0668. The facsimile machine I used complied with California Rules of Court, Rule 2003(3), and no error was reported by the machine. Pursuant to Rule 2009(i)4, I caused the machine to print a transmission record of the transmission

I declare that I am employed in the office of a member of the Bar of this Court at whose direction the service was made. I declare, under penalty of perjury under the laws of the State of California, that the above is true and correct.

Executed on August 16, 2011, at Irvine, California.


Roma Klein